

Note that this document is meant to provide an overview of Davis-Bacon and Related Acts (DBRA). More detail about applicability, compliance, and other DBRA topics can be found at <https://www.epa.gov/grants/davis-bacon-and-related-acts-dbra>.

Climate Pollution Reduction Grants (CPRG) Program Guidance Document: General Overview on Davis-Bacon and Related Acts

Applicability

The [Davis-Bacon](#) and Related Acts (“DBRA”; for CPRG, the Clean Air Act is the “Related Act”) require that all contractors and subcontractors performing [construction, alteration, or repair](#) (including painting or decorating) work under federal contracts in excess of \$2,000 pay their laborers and mechanics (and under certain conditions, watchmen/guards and working foremen) not less than the [locally prevailing wage and fringe benefits](#) for the geographic location. This applies if the contract is funded entirely or in part with CPRG funds.

Even if the CPRG funds are only funding non-construction parts of a project, Davis-Bacon labor standards and prevailing wage requirements may apply to all [applicable construction activities](#), regardless of the number of discrete contracts or financial awards involved so long as all are closely related in purpose, time, and place.

For prime contracts in excess of \$100,000, contractors and subcontractors must also pay laborers and mechanics (including guards and watchmen) at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek, according to the [Contract Work Hours and Safety Standards Act](#). The overtime provisions of the [Fair Labor Standards Act](#) may also apply to Davis-Bacon Act-covered contracts.

NOTE: DBRA labor standards still apply even if contractors/subcontractors are also Tribal members. However, DBRA labor standards do not apply when a government entity (including a Tribal government) is using their own employees to complete construction activities for a project.

Compliance

Below is an overview of the general roles and responsibilities of the EPA, grant recipients and subrecipients (also known as “contracting agencies”), and contractors and subcontractors for purposes of DBRA compliance.

U.S. Environmental Protection Agency	Grant Recipient/Subrecipient (“Contracting Agency”)	Contractor/Subcontractor
<ul style="list-style-type: none">Ensures that DBRA applicability and compliance instructions are included in all grant award terms and conditions.Oversees grant recipient to make sure they are in compliance with DBRA.Reserves the right to audit grant recipient for DBRA compliance.Supports grant recipient with informational resources and clarifications on DBRA.	<ul style="list-style-type: none">Ensures that DBRA contract provisions and appropriate wage determinations are included in all contracts (and subawards to subrecipients).Oversees DBRA compliance for contractors and subrecipients.Reviews certified payrolls from contractors.Performs confidential employee interviews periodically to ensure that the work actually being done by workers and mechanics is consistent with corresponding job titles and wages reported on certified payrolls.	<ul style="list-style-type: none">Posts a notice (including the Davis-Bacon poster and any applicable wage determination) at the site of work in a prominent and accessible place where it may be easily seen by employees.Pays DBRA-covered employees weekly for all hours worked.Maintains basic records and certified payrolls (for up to 3 years after the completion of the work).Submits basic records to contracting agencies upon request.Submits weekly certified payrolls (accompanied by a signed “Statement of Compliance” – see optional template linked here) to the contracting agency, listing specific job classification and wages for each employee.

Further Resources

- [CPRG FAQ Guidance Document on DBRA](#)
- [DBRA Requirements for EPA Subrecipients](#)
- [DBRA Contract Provisions for EPA Grants](#)
- [DOL Recorded Webinars & Slides on DBRA](#)
- [SAM.gov General Wage Determinations](#)
- Federal Regulation on Davis-Bacon and Related Acts Provisions and Procedures: [29 CFR Part 5 Subpart A](#)